

United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JACK SMITH,  
Plaintiff,  
v.  
COUNTY OF SANTA CRUZ, et al.,  
Defendants.

Case No. 13-CV-00595-LHK  
**ORDER RE BILL OF PARTICULARS**  
Re: Dkt. No. 82

On March 13, 2015, Karla Gottschalk filed a “Bill of Particulars, Notice of Allied Matter and Declaration.” ECF No. 82. Gottschalk was prior counsel for Plaintiff Jack Smith. On February 12, 2014, Plaintiff Smith’s current counsel, Kathleen Wells, filed a notice of substitution of counsel. ECF No. 43. Both Wells and Gottschalk signed the notice of substitution. On February 27, 2015, the parties filed a joint case management statement and notice of settlement. ECF No. 80. On March 13, 2015, Gottschalk filed the instant request for attorney’s fees. On April 16, 2015, the parties filed a joint case management statement requesting that the Court deny Gottschalk’s request. ECF No. 83.

As an initial matter, the Court notes that Gottschalk has failed to comply with the Civil Local Rules and the undersigned’s standing order with respect to noticing and filing motions.

1 Gottschalk neither noticed this “motion” for a hearing, nor did she file her request as an  
2 administrative motion pursuant to Civil Local Rule 7-11. The substance of Gottschalk’s  
3 submission to the Court contains no memorandum of points and authorities, no citations to legal  
4 authority, and no legal argument.

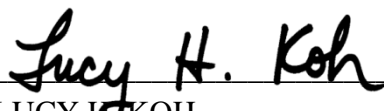
5 Gottschalk “requests fees earned in the above matter through promissory estoppel and/or  
6 quantum merit.” ECF No. 82, at 1. Gottschalk is not a party to this action, nor has she been  
7 granted permission to intervene in this action. The “bill of particulars” provides no basis, statutory  
8 or otherwise, upon which the Court could grant attorney’s fees. Gottschalk provides no  
9 explanation for why the Court should entertain her request for fees, and the Court finds no factual  
10 or legal basis upon which to grant Gottschalk’s request.

11 The Court therefore DENIES Gottschalk’s request for fees.

12 The parties shall file a stipulation of dismissal with prejudice by April 29, 2015.

13 **IT IS SO ORDERED.**

14 Dated: April 23, 2015

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16 LUCY H. KOH  
17 United States District Judge  
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